

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

JAMES JILEK, on behalf of himself)
and all others similarly situated,)
)
)
Plaintiff,)
)
)
v.) Case No. 3:23-cv-00818-RJC DCK
)
)
COMPASS GROUP USA, INC., d/b/a)
CANTEEN,)
)
)
Defendant.)
)

**DECLARATION OF M. ANTHONY JENKINS IN SUPPORT SURREPLY IN
OPPOSITION TO MOTION TO STRIKE**

I, M. Anthony Jenkins, state and declare as follows:

1. I am a Senior Associate with Arias Sanguinetti Wang & Team LLP, and I am one of the counsel of record for Plaintiff James Jilek in the above-captioned matter for which I have been granted leave to appear *pro hac vice*. I have personal knowledge of the matters stated herein, except as to those matters stated upon information and belief, which I believe to be true. If called and sworn as a witness, I could and would testify truthfully and competently to the matters stated herein. This declaration is submitted in support of Plaintiff's Surreply In Opposition To Motion To Strike.
2. In my declaration (Doc. # 303-1) in support of Plaintiff's Response to the Motion to Strike and supporting declaration (Doc. # 303), I incorrectly stated that Compass had not disclosed the existence of photographs of the vending machines until June 27, 2023.
3. This was an unintentional error, and I apologize to the Court and counsel for Compass.

When I signed my declaration, I believed the statement to be true.

4. While not an excuse, the deposition excerpts attached as Exhibits 1 through 4 to the Compass Group USA, Inc.'s Reply In Support Of Motion To Strike (Doc. # 305), are from depositions prior to my joining Arias Sanguinetti that were taken by a Senior Associate who separated from the firm in the summer of 2023; regarding the deposition excerpt attached as Exhibit 5 from the deposition of Martha Morgan on May 23, 2023, I attended that deposition via Zoom but the questioning was by the Senior Associate who separated from the firm in the summer of 2023 and I did not recall there being two questions concerning pictures being taken of the machines when I signed my declaration.

I declare under penalty of perjury of the laws of the United States of America that the foregoing is true and correct.

Executed on September 3, 2024, in Los Angeles, California.

By: */s/ M. Anthony Jenkins*
M. Anthony Jenkins

CERTIFICATE OF SERVICE

I hereby certify that on September 3, 2024, the foregoing was served upon all counsel of record via electronic mail.

/s/ *Richard S. Cornfeld*